

**Congress of the United States**  
**Washington, DC 20515**

May 7, 2021

Shouzi Chew  
Chief Executive Officer  
TikTok Inc.  
Culver City, CA 90232

Mr. Shouzi Chew:

While we remain concerned about TikTok's data practices in light of the Chinese Communist Party's (CCP's) ability to exert its National Intelligence Law over parent company ByteDance, we write today focused on tactical concerns with how the TikTok platform is being leveraged by Transnational Criminal Organizations (TCOs), including cartels facilitating illicit activity across the international land border between the United States and Mexico.

We are deeply troubled by media reports that cartels are brazenly recruiting people to conduct smuggling and other illicit activity via TikTok. The Department of Homeland Security (DHS) faces mounting challenges associated with stemming the flow of irregular migration into the country, and the recruitment and advertisement of smuggling activity on these platforms is exacerbating an increasingly untenable situation for frontline law enforcement personnel, as well as the vulnerable migrant populations being exploited, during a pandemic. Separately, we are seriously concerned about a post identified by law enforcement that Members have reviewed in which an armed cartel member was stalking and threatening Border Patrol Agents. It appears that via your platform cartel members are openly glorifying and normalizing illegal behavior and violence to recruit new members, most recently American teenagers. The proliferation of this content is occurring on such a large scale that it is being referred to as "Cartel TikTok" culture.<sup>1</sup> All of these activities are in direct violation of TikTok's Terms of Service.<sup>2</sup>

One report identified "ads cartels are using on social media apps like TikTok, where they offer more than \$3,000 a ride for teens and young adults to come drive smuggled migrants into the U.S. when they reach the border."<sup>3</sup> Cartels often exploit innocent people, including children, for financial gain without regard for their victims' safety and wellbeing. Sexual assaults and other crimes are regularly committed by these smugglers and their associates, and the bankrolling of these groups further destabilizes our neighboring countries. It's clear that cartels advertising their illegal activities on TikTok is not being adequately addressed internally.

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<sup>1</sup> Robert Muggah and Pedro Augusto P. Francisco, "Drug Cartels Are All Over Instagram, Facebook, and TikTok", Foreign Policy, <https://foreignpolicy.com/2020/12/15/latin-american-drug-cartels-instagram-facebook-tiktok-social-media-crime/>, Accessed 4 May, 2021.

<sup>2</sup> Terms of service. Retrieved May 4, 2021, from TikTok, TikTok terms of service website, <https://www.tiktok.com/legal/terms-of-service?lang=en>

<sup>3</sup> Adam Shaw and Aishah Hasnie, "Border cartels use TikTok, social media to recruit American teens to smuggle migrants for cash", Fox News, <https://www.foxnews.com/politics/border-cartels-teens-migrants-ads-on-social-media>, Accessed 4 May 2021.

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However, a recent news article described in new detail the degree of control and moderation TikTok does have over the content on the platform. The article states that, “[...] from its inception, TikTok has been even more controlled than competing apps. Company executives help determine which videos go viral, which clips appear on the pages of personalized recommendations, and which trends spill out from the app to flood the rest of the world.”<sup>4</sup> The level of data manipulation, curation, and apparent corporate support for major users discussed in the article is startling. With such control, TikTok should be able to eradicate the cartel activities outlined above from the platform.

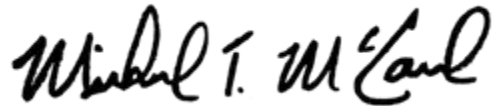
We request information in writing regarding TikTok’s current capabilities and efforts to combat illicit activity perpetuated by TCOs on the platform and content actively threatening the safety and well-being of DHS law enforcement officers, as well as mechanisms TikTok uses to engage with Federal agencies to block the soliciting of users for smuggling activities along the southwest border, as well as challenges it faces in addressing these issues.

Thank you for your prompt attention to this matter.

Sincerely,



JOHN KATKO  
Ranking Member  
Committee on Homeland Security



MICHAEL T. MCCAUL  
Member of Congress



CLAY HIGGINS  
Member of Congress



MICHAEL GUEST  
Member of Congress



DAN BISHOP  
Member of Congress



JEFF VAN DREW  
Member of Congress

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<sup>4</sup> Shelly Banjo, “How TikTok Chooses Which Songs Go Viral”, Bloomberg Business, <https://www.bloomberg.com/news/articles/2021-04-22/how-to-go-viral-on-tiktok-like-megan-thee-stallion-play-the-app-s-game>, Accessed 22 April 2021.

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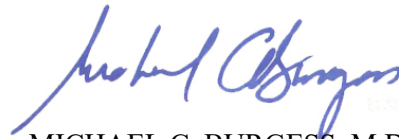
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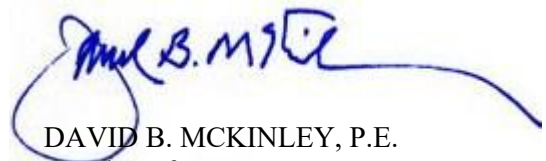
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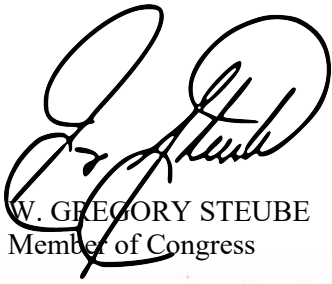
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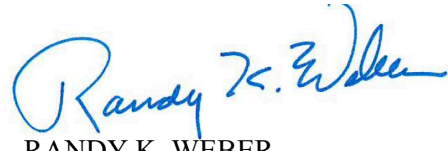
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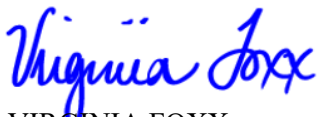
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